

REMARKS

Claims 1 – 20 were pending in the application at the time of the Office Action. Of these, claims 1, 9, 19 and 20 are amended. The applicant respectfully requests further examination and allowance of the application in light of the accompanying remarks.

Objections to the Drawings

The Examiner has withdrawn the objection to the drawings for failing to show the method of claim 18 by accepting a new Figure 4. The Examiner has maintained an objection to the drawings for failing to show the method of claim 17. While the applicant has attempted to comply with the Examiner's requirement, the Examiner's present requirement is somewhat unclear, due to an error in the Examiner's Action of 18 April 2003 which has propagated through to the present action. Specifically, the Examiner refers to the method claims as claims "17 and 18", while the record clearly indicates that claim 17 is a device claim. Claims 18 and 19 are the method claims. It is not clear, therefore, whether the Examiner objects to the drawings for failing to show content of claim 18 or 19. The Examiner states that the drawings do not portray that the "data collection unit is actuated manually." As written, claim 18 uses the term "manually" but does not use the term "actuated" while claim 19 does not use the term "manually" but uses the term "actuating." For that reason, applicant has amended claim 19 to attempt to meet the Examiner's requirement in a manner consistent with the content of Figure 4, which has been approved by the Examiner as not presenting new matter.

For these reasons, the drawing objection is believed to be overcome by claim amendments, rather than by amendment to the drawing.

Rejection of Claims 1 – 17 under 35 U.S.C. 112, first paragraph

The Examiner has rejected claims 1-17 as failing to comply with the written description requirement, on the basis that “the specification only states that input into the DCU is operator actuated, not the DCU itself.” The Examiner further delimits the claim language by stating that “actuate” means “to turn on or put into motion or action.” Based upon that close reading of the term “actuate,” applicant has amended claims 1 and 9 to require manual actuation of the “data collection *device*” rather than the “data collection *unit*.” This is supported by the specification.

In a similar vein, applicant has amended claim 20 for consistency, even though the Examiner has not rejected claim 20.

Rejection of Claims 1 – 5, 8 – 14, 17, and 18 - 19 under 35 U.S.C. 102(b)

The Examiner has rejected claims 1 – 5, 8 – 14, 17, and 18 - 19 under 35 U.S.C. §102(b) as being anticipated by US Pat. 5,741,183 to Acres (“Acres ‘183”). The rejection is respectfully traversed.

Claims 1 and 9

Claims 1 and 9 are independent claims of similar construction, so they are easily addressed together. The preamble of each claim is the same, that is, “an apparatus for storing and collecting arcade game data.” Applicant concedes that Acres ‘183 discloses an apparatus for storing and collecting gaming device data, applicant does not concede that Acres ‘183 teaches anything about arcade games.

This point becomes more critical when the first limitation of each claim is examined. Claims 1 and 9 require "a game processing system for a multiple player game comprised of a plurality of unit controllers." The present invention is used with games in which players compete against each other, albeit on separate game units. Acres '183 relates to the networking of gaming devices that really operate independently of each other. In a casino, players on adjacent slot machines are playing against the odds and not against each other. For at least this reason, neither claim 1 nor claim 9 is anticipated by Acres '183.

The next limitation differentiates claim 9 from claim 1. Claim 9 requires "an output processing system in electrical communication with said game processing system." The Examiner states that Acres '183 Figure 2 shows such an output processing system, and applicant concedes this point.

Claims 1 and 9 each require "a data output system in electrical communication with something. In claim 1, it is in communication with the game processing system and in claim 9 it is in communication with the output processing system.

Claims 1 and 9 each require "a data collection unit having a data collection device, said data collection unit in wireless communication with said data output system." Applicant concedes that Acres '183 discloses at least a data collection unit.

As amended, claims 1 and 9 each require that the "data collection device is actuated manually for the entry of at least a portion of said arcade game data." The Examiner understandably does not address the manually-actuated data collection device, as it was the subject of the claim amendment made with this Response, but

applicant believes that Acres '183 does not disclose such a data collection device for manual entry of arcade game data.

Claim 20

Applicant notes that the Examiner has failed to address claim 20 at all in the Office Action, although applicant does not believe that claim 20 is considered allowable by the Examiner. Claim 20 is similar to claims 1 and 9, but the last limitation requires that the "data collection device is actuated by said game attendant for the entry of at least a portion of said arcade game data." Applicant repeats its statement made in the prior Response in which it asserted that the requirement of actuation by the game attendant is supported in the specification, particularly at page 1, lines 20 – 22 and at page 5, lines 5 – 6 and 11 – 13.

Claims 18 and 19

With respect to claims 18 and 19, the Examiner has made a rather cursory review of the claim language, rather than rigorously looking at limitations in the terms, as the Examiner did in assessing the term "actuate." The applicant would like to comment upon the Examiner's assertions regarding Acres '183, particularly as they relate to what is actually claimed in the present invention.

The Examiner states that Acres '183 discloses a method of "operating an accounting system for game data." Applicant concedes this point.

The Examiner states that Acres '183 discloses a method that includes "operating a game having a game processing system." Claim 18 requires "operating an *arcade* game having a game processing system for a *multiple player game*." While the applicant understands the Examiner's point that "casinos, arcades and any amusement

area" are "synonymous in the art," that does not mean that applicant concedes that Acres '183 is in any way directed to or applicable to an arcade game involving multiple players. In a multiple player arcade game, players compete against each other. Acres '183 describes a method of networking together a plurality of slot machines or other similar gaming devices, wherein each individual player competes strictly against the odds built into the device and not at all against other players.

The Examiner states that Acres '183 discloses that "accounting data is stored in the game processing system in the form of messages." Applicant concedes that Acres '183 meets the express limitation of claim 18, which is "storing game accounting data at said game processing system."

The Examiner states that Acres '183 discloses that "a wireless connection is established between the game and a data collection unit." The limitation of claim 18 is that of "establishing wireless communications between said *arcade* game and a data collection unit *having a data collection device*." (emphasis added). The applicant agrees with the Examiner's statement, but notes that the statement is not equivalent to the claim limitation, as the italicized elements are not present.

The Examiner states that Acres '183 discloses that "the accounting data is sent to and stored on the data collection unit" and that "the data can then be processed into reports on the data collection unit." The Examiner discusses in some detail how Acres '185 discloses "manually entering at least a portion of said game accounting data into said data collection unit" and applicant concedes that Acres '183 meets the claim 18 requirements of "collecting said game accounting data onto said data collection unit",

“storing said game accounting data on said data collection unit” and “processing said game accounting data on said data collection unit.

Finally, at least with regard to claim 18, the Examiner states that “the data is collected during the operation of the *gaming device* so as not to interrupt the performance of game play” (emphasis added), but this is simply not “allowing uninterrupted performance of game play from said *arcade game* during said collection of game accounting data,”(emphasis added) which is the requirement of claim 18. This point goes back to the issue of the differences between “gaming devices” as described by Acres ‘183 and the “arcade games” of the present invention.

In summary regarding claim 18, Acres ‘183 does not disclose the arcade game accounting system that is needed when you have a multiple player game.

With regard to claim 19, the Examiner says that Acres ‘183 discloses “presenting an award of a prize to a player as cash and jackpots can be paid.” The language of claim 19, as amended above, requires the step of manually entering game accounting data to include “actuating the data collection device to indicate the award of a corresponding prize from said arcade game.” Applicant concedes that hand payment of prizes from both gaming devices and arcade games requires a manual entry of corresponding game accounting data, but the differences between individual gaming devices and multiple player arcade games remain unanswered by the Acres ‘183 disclosure.

Rejection of Claims 6, 7, 15, and 16 under 35 U.S.C. 103(a)

The Examiner has rejected claims 6, 7, 15, and 16 under 35 U.S.C. §103(a) as being obvious over Acres ‘183. The rejection is respectfully traversed.

Claims 6 and 15 are identical, although 6 depends from claim 1 and 15 depends from claim 9. They require that the communications port uses infrared, radio, or serial data transmissions.

Claims 7 and 16 are also identical, except for dependency. They require that the communications port uses standard Infrared Data Association (IrDA) compliant communications.

Applicant concedes the Examiner's point that, while Acres '183 does not disclose the exact method by which the communications port implements wireless data transmission, the specific methods claimed would have been known to the one of ordinary skill at the time of the invention. Data are data, whether gathered from slot machines or multiple player arcade games. However, the teaching of Acres '183 would still not put one of ordinary skill in possession of an apparatus implementing an accounting system for a multiple player arcade game by providing an accounting system for a series of networked slot machines, so claims 6, 7, 15 and 16 are allowable as properly dependent claims of allowable base claims.

CONCLUSION

Claims 1, 9, 19 and 20 have been amended in this response to the present Office Action. Claims 1 – 20 are pending in the present application. The Applicant respectfully requests further examination of the application in light of the accompanying remarks.

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Respectfully submitted,

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